

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS
DIVISION II

STATE OF ARKANSAS

PLAINTIFF

Vs.

CASE NO.: 2022-621-2

SHYLA CARROLL

DEFENDANT

PLEA AGREEMENT AND ORDER

A. STATE AGREES TO REDUCE COUNT NO(S): _____

Count I: Possession of a Controlled Substance with Purpose to Deliver (A Felony) to

Count I: Accomplice to Poss. of a Controlled Substance with Purpose to Deliver (A Felony)

B. DEFENDANT AGREES TO PLEAD GUILTY TO:

Count I: Count I: Accomplice to Poss. of a Controlled Substance with Purpose to Deliver (A Felony)

Count II: Possession of Firearms by Certain Persons (D Felony)

Count III: Possession of Controlled Substance with Purpose to Deliver Sched. VI (A Misd.)

D. PROSECUTING ATTORNEY AGREES TO RECOMMEND THE FOLLOWING:

1. Probation: 10 year(s) state supervised probation

2. Jail time: 120 days in the Benton County Jail with credit for 328 days served.

3. Assessment of Court Costs, Fines, Restitution:

\$ 150 Court Costs \$ 1000 Fine

\$ 40 Booking Fee \$ 500 Public Defender

\$ 125 Mandatory State Drug Fund \$ 125 PA Drug Fund

PAYABLE: \$0 this date and the remainder at a rate of \$50 _____, plus a \$5.00 collection fee per month beginning 120 days after date of RELEASE and on the 1ST day of each month thereafter until paid in full.

4. Defendant is to comply with the following additional conditions:

☒ - Evaluate at OGC in Springdale or a similar facility for alcohol and substance abuse issues within 30 days of plea or release, whichever is later, and then comply with recommended treatment within one hundred eighty (180) days from date of plea or release, whichever is later.

☒ - Defendant agrees to testify truthfully in Case No.: 2022-653-2, should the State request that she do so.

DATE: 02-27, 2023

[Signature]
Deputy Prosecuting Attorney

[Signature]
Defendant

[Signature]
Public Defender/Attorney for Defendant

ORDER

I. Defendant's plea is accepted as written above and stated on the record.

IT IS SO ORDERED.

DATE: Brad Karren, 2023
Hon. Brad Karren

2.27.23

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PLAINTIFF

Vs.

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SHYLA CARROLL

DEFENDANT

DEFENDANT'S STATEMENT

THE DEFENDANT REPRESENTS TO THE COURT:

1. My full name is SHYLA CARROLL and I request that all proceedings against me be had in that name, and I am mentally competent to make this petition. I understand should the plea of guilty herein tendered not be accepted and a trial follows, that admissions made herein would not be admissible against me at said trial.

2. I am represented by an attorney whose name is Chris Carwile.

3. I will plead guilty to the charge(s) of:

Count I: Count I: Accomplice to Poss. of a Controlled Substance with Purpose to Deliver (A Felony)

Count II: Possession of Firearms by Certain Persons (D Felony)

Count III: Possession of Controlled Substance with Purpose to Deliver Sched. VI (A Misd.)

4. I have told my attorney all the facts and circumstances known to me about the charges asserted in the Information. I believe that my attorney is fully informed in all such matters. My attorney has counseled and advised with me on the nature on each charge and on all possible defenses that I might have in this case. I believe that my attorney has done all that anyone could do to counsel and assist me, **AND I AM SATISFIED WITH THE ADVICE AND HELP MY ATTORNEY HAS GIVEN ME.**

5. I understand that I may plead "not guilty" to any offense charged against me. If I choose to plead "not guilty" the Constitution guarantees me (a) the right to a speedy and public trial by jury, (b) the right to see and hear all witnesses called to testify against me, (c) the right to use the power and process of the Court to compel the witnesses in my favor and (d) the right to have the assistance of an attorney at all stages of the proceedings, (e) I also understand that if I do not have funds and cannot obtain funds to employ an attorney, the Court will appoint an attorney to represent me, and (f) that I do not have to testify against myself. Additionally, (g) I understand that Benton County Arkansas has jurisdiction both over myself and over the current charges against me and that I do not wish to change venues.

6. I also understand that if I plead "guilty" to the charge(s) against me, the Court may impose the same punishment as if I had pleaded "not guilty", stood trial and had been convicted by a jury.

7. My attorney informed me that the punishment which the law provides for the offense(s) charged in the Information is: (Check all that apply)

- ☒ - 6-30 yrs. and/or \$10,000.00 fine [A Fel.]
☒ - 0-6 yrs. and/or \$10,000.00 fine [D Fel.]
☒ - 0-1 yrs. and/or \$2,500.00 fine [A Misd.]

8. I declare that no officer or agent of any branch of government (federal, state, or local) nor my attorney, nor any other person(s), have made any promise of any kind to me, or within my knowledge to anyone else, that I will receive a lighter sentence, or probation, or any other form of leniency if I plead "guilty", except as to the recommendation contained herein on the plea agreement offered by the Prosecuting Attorney.

9. My attorney has advised me of the potential parole eligibility for the crime of which I have been charged. I understand that my parole is the sole responsibility of the Board of Pardons and Paroles, and I understand that this Court and my attorney and the Prosecutor do not have any control of whether or not I am granted a pardon or parole. I also understand that parole is a privilege and not a right. No person has made me any promise of any kind concerning the actual time that I will have to serve before I am eligible for parole. I also understand that I may not be granted parole.

10. I have advised my attorney of my citizenship/immigration status and my attorney has advised me of the possible consequences thereto upon criminal conviction and the plea contained herein. No person has made me any promise regarding my citizenship/immigration status and I understand and hereby acknowledge that my final status will ultimately be determined by a separate federal court.

11. If the Act 346 of 1975 provision is noted on the Plea Agreement and Order, my attorney has explained to me what Act 346 of 1975 is, and I affirm to the Court that I have not previously been convicted of a felony nor is there anything on my record to prevent me from being eligible for Act 346 nor have I previously availed myself of the benefits of Act 346 of 1975.

12. My attorney, pursuant to Arkansas Rules of Professional Conduct, Rule 1.19, has advised me that my client file will be retained by my attorney for a period of five (5) years after the conclusion of representation in the above-styled case(s) (e.g. judgement/commitment being filed). I understand that at the conclusion of the five (5) years, my attorney may destroy my client file in the above-styled case(s). I understand that I may obtain a copy of my client file, upon written request to my attorney, prior to the conclusion of the five (5) years and that costs of copying the client file are my responsibility. I understand that if I receive a life sentence, the attorney shall retain a copy of my file for the remainder of my life.


INITIALS: AG

13. I plead "guilty" and respectfully request the Court to accept my plea of "guilty" and to enter my plea of "guilty".

14. I OFFER MY PLEA OF "GUILTY" FREELY AND VOLUNTARY AND OF MY OWN ACCORD AND WITH FULL UNDERSTANDING OF ALL THE MATTERS SET FORTH IN THE INFORMATION AND IN THIS PETITION AND THIS PLEA IS WITH THE ADVICE AND CONSENT OF MY ATTORNEY.

SIGNED BY ME IN THE PRESENCE OF MY ATTORNEY THIS 27th DAY OF Feb., 2023.


Defendant


Attorney for Defendant

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS
DIVISION II

STATE OF ARKANSAS

PLAINTIFF

Vs.

CASE NO.: 2022-621-2

SHYLA CARROLL

DEFENDANT

PROBATION AGREEMENT

Now on this 27 day of Feb., 2023, the Defendant having entered a plea of guilty or having been found guilty in the above styled action and the Court having placed the defendant on probation for a period of 10(120 months) years for the offense(s) of:

Count I: Count I: Accomplice to Poss. of a Controlled Substance with Purpose to Deliver (A Felony)

Count II: Possession of Firearms by Certain Persons (D Felony)

Count III: Possession of Controlled Substance with Purpose to Deliver Sched. VI (A Misd.)

IT IS HEREBY ORDERED that the following conditions of said probation are imposed upon the defendant:

- 1) You must not commit a criminal offense punishable by imprisonment. If arrested or questioned by a law enforcement officer, you will notify your supervising officer within 24 hours, unless such arrest or questioning occurs on a weekend, in which case you will notify your supervising officer the next working day.
- 2) You must not drink or possess intoxicating or alcoholic beverages, or be present in any establishment where its main source of income is derived from the sale of such beverages.
- 3) You must not use, sell, distribute, or possess any controlled substance, or associate with any person who is participating in or is know to participate in the illegal use, sale, distribution or possession of controlled substances, or be present in places where such persons congregate. You may use or possess controlled substances pursuant to a legitimate prescription from a physician. You must be able to present proof of your prescription and provide physician's name as requested. You must submit to random testing for the use of illegal substances or intoxicants. Testing may be of your breath, blood or urine at the direction of any supervising offices. You must pay for the expense of such testing.
- 4) You must not associate with persons who have been convicted of felonies, persons who are engaged in criminal activity, or other persons specified by any supervising officer.
- 5) You must not purchase, own, control or possess any firearm or other prohibited deadly weapon at any time, or be in the company of any person possessing the same.
- 6) You must report as directed to a supervising officer and permit him or her to visit you in

your residence, place of employment or other property.

7) You must be gainfully employed or enrolled as a student at all times, pay your share of household expenses, support your legal dependents and pay all court ordered child support. You must notify your supervising officer in advance of any change in your address, employment, education, telephone number, or family status. Where circumstances make it impossible for you to give advance notice, you must give notice as soon as possible. Prior approval for a supervising officer is required for you to change or stay away from your place of residence or to quit your employment.

8) You must remain within the State of Arkansas unless granted permission to leave by your supervising officer. You agree to waive extradition from any jurisdiction in or outside the United States of America and to not contest any effort to return you to the State of Arkansas.

9) Your Supervising Officer may require you to submit to any of the following: drug and alcohol treatment, psychiatric or counseling program, community based programs, or other available rehabilitative programs. You are responsible for the expense of any programs deemed necessary and must provide proof of compliance.

10) You must be truthful in all statements made to a supervising officer.

11) You must pay a monthly probation supervision fee of \$35 a month.

12) You must pay the costs, fine(s), and victim restitution to the Benton County Circuit Clerk, 102 N.E. A St., Bentonville, AR 72712, in the total amount of \$ _____ in regular monthly payments of \$50 each month, plus a \$5.00 monthly collection fee, beginning 120 days after date of plea and on the _____ day of each month thereafter until paid in full.

\$ 125 Court Costs \$ 1000 Fine

\$ 40 Booking Fee \$ 500 Public Defender

\$ 125 Mandatory State Drug Fund \$ 125 PA Drug Fund

13) You must serve a period of confinement for 120 day(s) at the Benton County Detention Center and/or participate in the County Work program for a period of _____ day(s) with credit for _____ day(s) time served. If you fail to comply with the requirements of the county work program you will serve the remaining days of your sentence at the Benton County detention center.

14) You must comply with the special conditions imposed by the court.
If the Court revokes your probation for your violating a condition, it may impose on you a sentence of up to 37 YEARS minus any credit for time served.

15) You shall consent to a search of your person, residence, or other property when required by
your probation officer.

16) You must comply with all reasonable requests by your probation officer.

17) You must make a good faith effort to obtain your G.E.D., if applicable.

SPECIAL CONDITIONS


- ☒ - Evaluate at OGC in Springdale or a similar facility for alcohol and substance abuse issues within 30 days of plea or release and comply with recommended treatment.
- ☒ - Defendant agrees to testify truthfully in Case No.: 2022-653-2, should the State request that she do so.

Probation/Parole Office
1001 West Walnut Street
Rogers, AR 72758
(479) 878-2000

ACKNOWLEDGEMENT

I hereby certify that I have read, do understand and will comply with the terms and conditions of my probation. I understand that if I violate any of the conditions set out in this agreement, the court can revoke my probation and impose any sentence on me that it might have imposed originally for the offense for which I was declared or plead guilty.

Dated 2-27-23, 2023


Defendant